

MONTANA LEGISLATIVE HISTORY

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Chapter 542 19 99

Bill H _____ S 333 Original bill & history C

H. Committee on Appropriations

Hearing Date(s) 3-9 ☒ C

3-18 ☒ C

_____ C

_____ C

Date Out _____ C

S. Committee on Highways & Trans

Hearing Date(s) 2-9 ☒ C

_____ C

_____ C

_____ C

Did this bill originate in an interim committee? Yes No

Committee _____

Report _____

LEGISLATIVE HISTORIES

The 1997 Montana Legislature dramatically changed the nature of legislative minutes. This altered format continues with the 1999 legislative minutes. The minutes from House committees are extremely sparse in content, offering no substantive information from which to glean legislative intent. The Senate committees' minutes are fuller in content.

Exhibits, which include written statements, attendant information, roll call votes, roll call attendance, a list of those from the public who were present, and specific action taken on legislative bills, will be available only through the Historical Society Archives, 444-4774, and from a CD-ROM produced by the Legislative Services Division, 444-3064.

Just as in the 1997 legislative session, the 1999 House and Senate committee hearings were recorded. For information on accessing the tapes, or purchasing them, contact the Archives, 444-4774.

If you have concerns over the format of these legislative minutes, it is suggested that you contact your state legislators.

SB 332 Introduced by Ekegren, et al.

LC1349 Drafter: Higgins

Prohibit a Governmental Entity and its Political Subdivisions from Competing with a Telecommunications Services Provider;...

1/29 Introduced and 1st Reading
 1/29 Referred to Business and Industry
 1/29 Fiscal Note Requested
 2/04 Fiscal Note Received
 2/05 Hearing
 2/05 Fiscal Note Signed
 2/06 Fiscal Note Printed
 2/15 Tabled in Committee
 3/01 Missed Deadline for General Bill Transmittal

SB 333 Introduced by Swysgood, et al.

LC0993 Drafter: Kurtz

Generally Revise Laws Concerning Paved Secondary Roads;...

1/29	Introduced and 1st Reading		
1/29	Referred to Highways and Transportation		
1/29	Fiscal Note Requested		
2/04	Fiscal Note Received		
2/08	Fiscal Note Printed		
2/09	Hearing		
2/12	Committee Executive Action--Bill Passed	11	0
2/12	Committee Report--Bill Passed		
2/13	2nd Reading Passed	45	0
2/15	3rd Reading Passed	50	0
	Transmitted to House		
2/16	Referred to Appropriations		
3/09	Hearing		
3/18	Committee Executive Action--Bill Concurred	13	5
3/18	Committee Report--Bill Concurred		
4/15	2nd Reading Concurred	88	11
4/16	3rd Reading Concurred	86	13
	Returned to Senate		
4/16	Sent to Enrolling		
4/19	Returned from Enrolling		
4/20	Signed by President		
4/21	Signed by Speaker		
4/22	Transmitted to Governor		
4/30	Signed by Governor		
5/04	Chapter Number Assigned		
	Chapter Number 542		
	Effective Date: 4/30/1999 - All Sections		

SB 334 Introduced by Mesaros, et al.

LC0559 Drafter: Sternberg

Revise Laws Related to Outfitters;...

1/29 Introduced and 1st Reading
 1/29 Referred to Fish and Game
 1/29 Fiscal Note Requested
 2/05 Fiscal Note Received
 2/05 Fiscal Note Printed

INDEX TO BILLS IN COMMITTEE

June 30, 1999

- Committee: (S) Highways and Transportation -

05:35 PM

-
- SB 330** **SPONSOR:** Mohl, Arnie **SHORT TITLE:** Provide for reciprocity in foreign contractor bidding on state highway projects
- REFERRED ON:** 01/29/1999 **HEARD ON:** 02/09/1999
- EXECUTIVE ACTION:** 02/12/1999 Bill Passed as Amended -- VOTE: 9 - 2
- FINAL DISPOSITION** 04/15/1999 Chapter Number Assigned
-
- SB 333** **SPONSOR:** Swysgood, Chuck **SHORT TITLE:** Generally revise laws concerning paved secondary roads
- REFERRED ON:** 01/29/1999 **HEARD ON:** 02/09/1999
- EXECUTIVE ACTION:** 02/12/1999 Bill Passed -- VOTE: 11 - 0
- FINAL DISPOSITION** 05/04/1999 Chapter Number Assigned
-
- SB 346** **SPONSOR:** Hargrove, Don **SHORT TITLE:** Require fuel pumps dispensing dyed fuel be identified with a decal
- REFERRED ON:** 01/30/1999 **HEARD ON:** 02/09/1999
- EXECUTIVE ACTION:** 02/12/1999 Bill Passed -- VOTE: 10 - 1
- FINAL DISPOSITION** 04/14/1999 Chapter Number Assigned
-
- SB 354** **SPONSOR:** Mohl, Arnie **SHORT TITLE:** Require only one license plate on vehicles
- REFERRED ON:** 01/30/1999 **HEARD ON:** 02/11/1999
- TABLED ON:** 02/12/1999
- FINAL DISPOSITION** 03/01/1999 (S) Missed Deadline for General Bill Transmittal
-
- SB 374** **SPONSOR:** Lynch, J.D. **SHORT TITLE:** Exempt local waste hauler from overweight vehicle fines on route to landfill
- REFERRED ON:** 02/03/1999 **HEARD ON:** 02/09/1999
- EXECUTIVE ACTION:** 02/17/1999 Bill Passed -- VOTE: 7 - 4
- TABLED ON:** 02/12/1999
- FINAL DISPOSITION** 03/31/1999 Chapter Number Assigned
-
- SB 397** **SPONSOR:** Stang, Spook **SHORT TITLE:** Allow flexibility in using highway funds
- REFERRED ON:** 02/06/1999 **HEARD ON:** 02/11/1999
- EXECUTIVE ACTION:** 02/12/1999 Bill Passed -- VOTE: 11 - 0
- FINAL DISPOSITION** 04/14/1999 Chapter Number Assigned
-
- SB 420** **SPONSOR:** Mahlum, Dale **SHORT TITLE:** Increase speed limit in urban district
- REFERRED ON:** 02/09/1999 **HEARD ON:** 02/16/1999
- TABLED ON:** 02/17/1999
- FINAL DISPOSITION** 03/01/1999 (S) Missed Deadline for General Bill Transmittal
-

MINUTES

**MONTANA SENATE
56th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: By VICE CHAIRMAN RIC HOLDEN, on February 9, 1999
at 3:18 P.M., in Room 410 Capitol.

ROLL CALL

Members Present:

Sen. Arnie Mohl, Chairman (R)
Sen. Ric Holden, Vice Chairman (R)
Sen. Mack Cole (R)
Sen. Bob DePratu (R)
Sen. John Hertel (R)
Sen. Reiny Jabs (R)
Sen. Greg Jergeson (D)
Sen. Glenn Roush (D)
Sen. Debbie Shea (D)
Sen. Spook Stang (D)

Members Excused: Sen. Daryl Toews (R)

Members Absent: None.

Staff Present: Connie Erickson, Legislative Branch
Phoebe Olson, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 330 SB 333 SB 374 SB 346,
2/7/1999

Executive Action: None

HEARING ON SB 333

Sponsor: SENATOR CHUCK SWYSGOOD, SD 17, DILLON

Proponents:

Jim Currie, MT Department of Transportation
Vern Peterson, MACO
Sam Ganfrancisco, MACRS
Glenna Ode, Jeferson County Commisioner
Tim Burton, Lewis and Clark County
Bill Kennedy, Yellowstone County
James Kembel, MT Technical Counsel

Opponents: None

Opening Statement by Sponsor:

SENATOR CHUCK SWYSGOOD, SD 17, Dillon, said SB 333 revised the paved secondary road program. He added that basically the bill was explained on page 1 lines 18 through 21. He deferred further comments to the proponents and reserved the right to close.

Proponents' Testimony:

Jim Currie, submitted written testimony, EXHIBIT(4)

{Tape : 1; Side : B; Approx. Time Counter : 400; Comments : turn tape over}

Vern Peterson, MACO, spoke in favor of the bill. He said the SOS program was a short term fix, and a major problem would arise now that program was over. He believed this bill was the solution to the problem. He said the biggest concern to the commissioners was the loss of their individual county appropriation. He thought that was resolved with the selection process in the districts, and everyone would receive more money. He claimed this was a real good bill and made himself available for questions.

Sam Geanfrancisco, Montana Association of County Road

Supervisors, said they thought this was a great bill. He thought that the traveling public would see greater service and the roads would be in much better shape than they are today. He urged the committee to support the bill.

February 9, 1999

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Glenna Ode, Jefferson County Commissioner, she thanked the sponsor for bringing forth the bill. She said the Montana Association of Counties urged a do pass recommendation.

Tim Burton, Lewis and Clark County, said the present secondary road program had problems, and this proposal would allow the program to run much more smoothly. He saw this as a positive partnership with the State of Montana and felt that all sides had come together on this proposal. He stood in support of the bill.

Bill Kennedy, Yellowstone County Commissioner, felt this had been a long time coming. He said they had worked with Department for many months to work out something that all the counties could live with. He said this was a good compromise, and work for everyone. He maintained that it would help the counties as well as the state.

Jim Campell, Montana Technical Council, went on record in support of the bill.

Opponents' Testimony: None

Questions from Committee Members and Responses:

SENATOR JABS, asked if the state would take over the snow plowing too.

Jim Currie, said the intent was to sit down with each county and work out agreements with them.

SENATOR HERTEL, wanted to know if the counties would have to meet certain specifications in regard to bridges.

Jim Currie, said the bridges would have to meet national standards. He said right now bridges don't figure in to the allocation formula, yet they are eligible for federal funding.

SENATOR MOHL, asked if this would allow the use of federal matching money.

Jim Currie, said yes it would.

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SENATOR MOHL, said then theoretically this would allow the state to do more secondary work for the counties.

Jim Currie, said if they wanted to allocate more state dollars toward the secondary system that could be done. He maintained there was a limited amount of federal aid secondary dollars, but theoretically that was true.

SENATOR MOHL, he said according to the fiscal note they should be able to do a lot more work.

Jim Currie, said that was correct.

SENATOR COLE, asked if there were any figures to say how much money would be put on the secondary roads under this program.

Jim Currie, said they were somewhere around 30 or 31 million dollars.

SENATOR COLE, asked what the funding would be without this program.

Jim Currie, said whether this went or not they had made the commitment to increase the secondary roads program by 60%.

SENATOR COLE, said as he understood it, this only applied to paved secondary roads.

Jim Currie, with regard to maintenance it only applied to secondary roads, with regard to capitol improvement it also pertained to gravel secondaries.

SENATOR COLE, asked if they had anything that would show the secondary paved roads on the map.

John Blacker, said he would get that information.

SENATOR COLE, inquired about the remark made about splitting up district four.

Bill Kennedy, said some commissioners had talked about splitting it evenly, but the commissioners in the southern district wouldn't have as far to go to look at those roads. He said it had just

been talked about, but the counties could get together and vote on that.

SENATOR DEPRATU, asked how many dollars from a county standpoint this would free up to use on good old county roads.

Vern Peterson, said there were no figures on that. He said it would vary tremendously amongst counties.

SENATOR HOLDEN, asked on page 2 line 16 and 17 what was the rationale behind the value of rural lands.

Pat Saindon, said at the time the old language was enacted a lot of secondary roads were being built, so there was some rationale as to allocating money based on land value because they were going to have to acquire the land in order to build the roads.

SENATOR HOLDEN, said on page 3 line 25, it talked about two votes for the Department and one vote for the County Commissioners. He wondered how they arrived at that breakdown.

Jim Currie, said, of course, there was one vote per county, and the district administrator would have a vote because he was responsible for everything in the transportation district. Also two for the secondary road engineer who works with all the counties and helps with the secondary program.

SENATOR SWYSGOOD, said he agreed with the breakdown.

Vern Peterson, explained that every county was allowed one vote. It wasn't 2 to 1, it was more like 13 to 2. He agreed with the breakdown also.

Closing by Sponsor:

SENATOR SWYSGOOD, said since he had served in the legislature there had been attempts by counties to get the state to take over county roads because of their heavy use. He believed this bill was a good agreement. He thought it had positives for everyone involved and the counties would benefit. He thanked the committee for the hearing and said he would appreciate their consideration on the bill.

INDEX TO BILLS IN COMMITTEE

June 30, 1999

- Committee: (H) Appropriations -

01:01 PM

-
- SB 273** **SPONSOR:** Jabs, Reiny **SHORT TITLE:** Create 22nd judicial district & add judge to 11th & 20th districts
 REFERRED ON: 03/27/1999 **HEARD ON:** 03/30/1999 **(H) Discussed in Committee ON:** 03/30/1999
 EXECUTIVE ACTION: 03/31/1999 Bill Concurred -- **VOTE:** 11 - 7
 FINAL DISPOSITION 04/23/1999 Chapter Number Assigned
-
- SB 301** **SPONSOR:** Keating, Tom **SHORT TITLE:** Eliminate statutory appropriation of renewable resource funds to MSU-Northern
 REFERRED ON: 02/16/1999 **HEARD ON:** 03/29/1999 **(H) Discussed in Committee ON:** 03/29/1999
 EXECUTIVE ACTION: 03/30/1999 Bill Concurred as Amended -- **VOTE:** 15 - 3
 FINAL DISPOSITION 04/29/1999 Chapter Number Assigned
-
- SB 302** **SPONSOR:** Toews, Daryl **SHORT TITLE:** Regional wastewater authority
 REFERRED ON: 03/03/1999 **HEARD ON:** 03/23/1999 **(H) Discussed in Committee ON:** 03/29/1999
 EXECUTIVE ACTION: 03/30/1999 Bill Concurred as Amended -- **VOTE:** 16 - 2
 FINAL DISPOSITION 04/29/1999 Chapter Number Assigned
-
- SB 333** **SPONSOR:** Swysgood, Chuck **SHORT TITLE:** Generally revise laws concerning paved secondary roads
 REFERRED ON: 02/16/1999 **HEARD ON:** 03/09/1999
 EXECUTIVE ACTION: 03/18/1999 Bill Concurred -- **VOTE:** 13 - 5
 FINAL DISPOSITION 05/04/1999 Chapter Number Assigned
-
- SB 342** **SPONSOR:** Hargrove, Don **SHORT TITLE:** Create the Montana agricultural heritage preservation program
 REFERRED ON: 03/20/1999 **HEARD ON:** 04/07/1999
 EXECUTIVE ACTION: 04/07/1999 Bill Concurred as Amended -- **VOTE:** 12 - 5
 FINAL DISPOSITION 04/23/1999 Chapter Number Assigned
-
- SB 349** **SPONSOR:** Christiaens, Chris **SHORT TITLE:** Establish housing revolving loan fund
 REFERRED ON: 02/22/1999 **HEARD ON:** 03/09/1999
 EXECUTIVE ACTION: 03/23/1999 Bill Concurred -- **VOTE:** 12 - 6
 FINAL DISPOSITION 04/16/1999 Chapter Number Assigned
-
- SB 359** **SPONSOR:** Franklin, Eve **SHORT TITLE:** Create reserve fund - tobacco manuf. who haven't previously settled with state
 REFERRED ON: 02/18/1999 **HEARD ON:** 03/29/1999
 EXECUTIVE ACTION: 03/29/1999 Bill Concurred -- **VOTE:** 12 - 3
 FINAL DISPOSITION 04/22/1999 Chapter Number Assigned
-

HEARING ON SB 333

Opening Statement by Sponsor:

Sen. Charles "Chuck" Swysgood, SD 17, presented SB 333. EXHIBIT(5)
{Tape : 2; Side : A; Approx. Time Counter : 92 - 178} EXHIBIT(6)

Proponents' Testimony:

Jim Currie, Department of Transportation (DOT)
{Tape : 2; Side : A; Approx. Time Counter : 178 - 315}

Vern Petersen, Montana Association of Counties (MACo)
{Tape : 2; Side : A; Approx. Time Counter : 315 - 386}

Sam Gianfrancisco, Montana Association of Road Supervisors
{Tape : 2; Side : A; Approx. Time Counter : 386 - 401}

Eric Griffin, Lewis and Clark Public Works, County Commissioners
{Tape : 2; Side : A; Approx. Time Counter : 401 - 415}

Jane Jelinski, MACo
{Tape : 2; Side : A; Approx. Time Counter : 415 - 434}

Jim Kembel, Montana Technical Council
{Tape : 2; Side : A; Approx. Time Counter : 434 - 443}

Opponents' Testimony: None.

Informational Testimony: None. EXHIBIT(7)
Exhibit 7 was received after the hearing without testimony.

Questions from Committee Members and Responses:

{Tape : 2; Side : A; Approx. Time Counter : 443 - Tape : 3; Side : A; Approx. Time Counter : 268}

Closing by Sponsor:

{Tape : 3; Side : A; Approx. Time Counter : 268 - 363}

HEARING ON SB 170

Opening Statement by Sponsor:

Sen. Mike Taylor, SD 37, presented SB 170.
{Tape : 3; Side : A; Approx. Time Counter : 363 - 426}

Proponents' Testimony:

Jim Edgcomb, Department of Commerce EXHIBIT(8)

Motion/Vote: REP. E. BERGSAGEL moved that SB 23 BE TABLED.
Motion carried 12-6 with Fisher, Johnson, Kasten, Quilici,
Taylor, and Witt voting no.
{Tape : 2; Side : A; Approx. Time Counter : 350 - 377}

EXECUTIVE ACTION ON HB 490

Motion: REP. E. BERGSAGEL moved that HB 490 DO PASS.

Motion: REP. E. BERGSAGEL moved that HB 490 BE AMENDED.

Discussion:

{Tape : 2; Side : A; Approx. Time Counter : 377 - 434; Comments :
Rep. E. Bergsagel withdrew the motion.}

EXECUTIVE ACTION ON SB 333

Motion: REP. E. BERGSAGEL moved that SB 333 BE CONCURRED IN.

Discussion:

{Tape : 2; Side : A; Approx. Time Counter : 434 - Side : B;
Approx. Time Counter : 113}

Vote: Motion carried 13-5 with E. Bergsagel, P. Bergsagel,
Fisher, Kasten, and Vick voting no.
{Tape : 2; Side : B; Approx. Time Counter : 113 - 129}

EXECUTIVE ACTION ON HB 621

Motion: REP. E. BERGSAGEL moved that HB 621 DO PASS.

Motion: REP. E. BERGSAGEL moved that HB 621 BE AMENDED EXHIBIT(2)

Discussion:

{Tape : 2; Side : B; Approx. Time Counter : 129 - Tape : 3; Side
: A; Approx. Time Counter : 9}

Substitute Motion: REP. E. BERGSAGEL made a substitute motion
that HB 621 BE AMENDED with a substitute amendment.

Discussion:

{Tape : 3; Side : A; Approx. Time Counter : 9 - 66}

Vote: Motion carried unanimously.